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U.S. PTO Customer No. 25280

Case No. 2171A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Scott C. Miller and Kenneth B. Higgins  
Serial Number: 09/864,478  
Filed: May 23, 2001  
For: Low Weight Cushioned Carpet, Carpet Tile and Method  
Group Art Unit: 1771  
Examiner: Juska, Cheryl Ann

## NOTICE OF APPEAL

Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Sir:

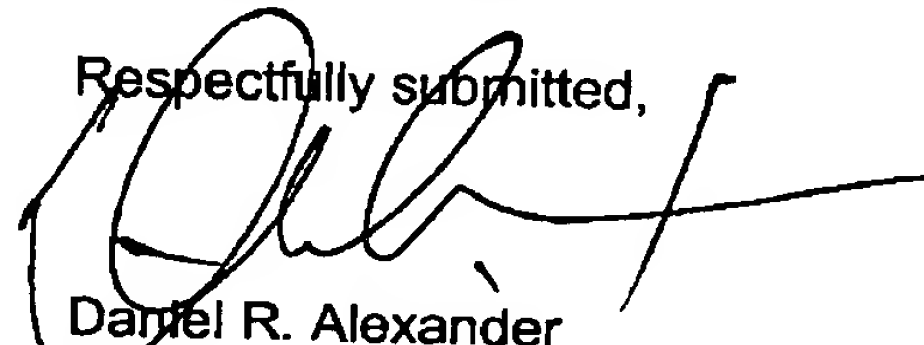
Applicant hereby appeals to the Board of Appeals from the decision dated December 1, 2004 of the Examiner finally rejecting Claims 12, 14 - 16, 22, 23, 26, and 28 - 30.

The item(s) checked below are appropriate:

1. (X) An Extension of Time is filed concurrently herewith.
2. (X) Charge Deposit Account No. 04-0500 the fee of \$500.00  
(X) Charge Deposit Account No. 04-0500 if any additional extension and/or fee is required.

An additional copy of this Notice is enclosed herewith.

Respectfully submitted,



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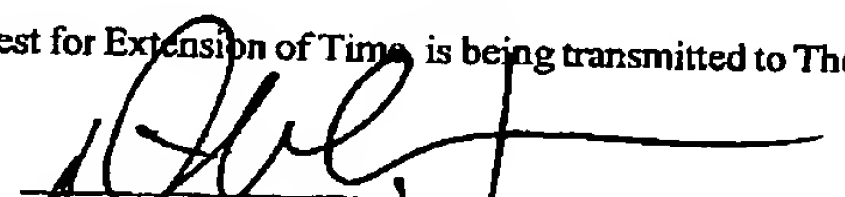
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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, along with a Request for Extension of Time, is being transmitted to The United States Patent and Trademark Office at 703-872-9306 on May 2, 2005.



Daniel R. Alexander  
Attorney for Applicant(s)